

AO 440 (Del Rev. 10/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

District of DELAWARE

TWD CORPORATION, an Arizona Corporation  
f/k/a Tiros Corporation, an Arizona Corporation.  
Plaintiff,

## SUMMONS IN A CIVIL CASE

v.

CASE NUMBER: 05 - 263

SPX CORPORATION, a Delaware corporation,  
Defendant.

TO: (Name and address of Defendant)

SPX Corporation  
c/o Corporation Trust Co.  
1209 Orange Street  
Wilmington, DE 19801

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

William M. Kelleher  
Ballard Spahr Andrews & Ingersoll, LLP  
919 North Market Street  
12<sup>th</sup> Floor  
Wilmington, DE 19801-3034

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**PETER T. DALLEO**

**MAY 03 2005**

CLERK

DATE

Evette Wata  
(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>5/3/05</u>	
NAME OF SERVER (PRINT) <u>FRANK JOYCE</u>	TITLE <u>PROCESS SERVER</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: _____  <input type="checkbox"/> Returned unexecuted: _____  <input checked="" type="checkbox"/> Other (specify): <u>PERSONALLY SERVED SPX CORPORATION by SERVING ITS REGISTERED AGENT THE CORPORATION TRUST CO, 411209 ORANGE ST WILM DE 19801, AT 4:00 PM. PERSON ACCEPTING SERVICE: BRIAN PENROD.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>5/3/05</u> Date</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 40%;"> <p style="text-align: center;">Signature of Server <u>[Signature]</u> PARCELS INC 4 E 7TH ST WILM DE 19801</p> <p style="text-align: center;">Address of Server</p> </div> <div style="width: 50%;"></div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.